

# Title 38—PENSIONS, BONUSES, AND VETERANS' RELIEF

## Chapter I—Veterans Administration PART 3—ADJUDICATION

### Subpart A—Pension, Compensation, and Dependency and Indemnity Compensation

#### DISCHARGE TO CHANGE STATUS

In § 3.13, paragraph (b) is amended to read as follows:

#### § 3.13 Discharge to change status.

(b) The entire period of service under the circumstances stated in paragraph (a) of this section constitutes one period of service and entitlement will be determined by the character of the final termination of active service.

(72 Stat. 1114; 38 U.S.C. 210)

This VA regulation is effective date of approval.

Approved: June 27, 1966.

By direction of the Administrator.

[SEAL] CYRIL F. BRICKFIELD,  
Deputy Administrator.

[F.R. Doc. 66-7223; Filed, June 30, 1966;  
8:46 a.m.]

## PART 36—LOAN GUARANTY

### Definitions

In § 36.4301, paragraph (jj) is added to read as follows:

#### § 36.4301 Definitions.

(jj) "Discharge or release": For purposes of basic eligibility a person will be considered discharged or released if he was issued a discharge certificate under conditions other than dishonorable (38 U.S.C. 1802(c)). In the absence of such discharge certificate his discharge or release must be (1) issued under conditions other than dishonorable and (2) accompanied by an actual break in service, except that for purposes of basic eligibility under section 1818 of Title 38, United States Code, a break in service shall not be required if at the time the discharge or release was issued the individual was eligible for complete separation from active duty.

(72 Stat. 1114; 38 U.S.C. 210)

This VA regulation is effective date of approval.

Approved: June 27, 1966.

By direction of the Administrator.

[SEAL] CYRIL F. BRICKFIELD,  
Deputy Administrator.

[F.R. Doc. 66-7224; Filed, June 30, 1966;  
8:46 a.m.]

# Title 41—PUBLIC CONTRACTS AND PROPERTY MANAGEMENT

## Chapter 9—Atomic Energy Commission

### PART 9-7—CONTRACT CLAUSES

#### Subpart 9-7.50—Use of Standard Clauses

#### MISCELLANEOUS AMENDMENTS

1. In § 9-7.5003, *Deviations*, paragraphs (a) and (c) are revised to read as follows:

#### § 9-7.5003 *Deviations.*

(a) *Standard AEC clauses which are mandatory as to text.* These clauses are set forth or are referred to in § 9-7.5004 and, where they are appropriate for use in a contract, deviations from these clauses shall not be made unless approved by the Director, Division of Contracts, Headquarters, after coordination with the Controller, General Counsel, and any other appropriate Headquarters office. Requests for Headquarters approval shall be submitted in triplicate and shall be accompanied by a detailed supporting statement and a draft of the proposed clause, as amended. If Headquarters approval of the contract is required, requests for approval of deviations and approval of the contract may be combined. (Minor changes in wording which may become necessary in negotiations are not considered deviations, provided counsel determines that the change is not prohibited by statute executive order, or administrative regulation and does not alter the meaning, intent, or basic principles expressed in these clauses.)

(c) *Standard AEC clauses not included in (a) or (b).* These clauses are set forth in § 9-7.5006 and, in addition to those referred to in paragraphs (a) and (b) of this section, constitute standard provisions for use in AEC contracts. Deviations shall not be made merely because of personal preferences. Except as provided in other subparts of the AECPR, deviations, in addition to those specifically authorized by this subpart, may be made only with the approval of the Manager of Operations, after consultation with counsel; except that deviations which make allowable any of the costs specifically listed as unallowable in the cost clauses set forth in § 9-7.5006, or which would conflict with the policy and principles expressed in Subpart 915.50 of Part 9-15 of this chapter of the AECPR or other applicable directives, shall be made in prime contracts or in subcontracts only with the approval of the Director, Division of Contracts, Headquarters, after consultation with the Controller, General Counsel, and any other appropriate Headquarters office. The contract file shall contain a statement explaining any substantial deviation unless the reason for such deviation is obvious because of the unusual nature

of the contract. Changes which become necessary as a matter of standard practice shall be reported to the Director, Division of Contracts, Headquarters, with a recommendation, in triplicate, as to the need for modifying the text of the standard clause.

2. In § 9-7.5004-11, *Security*, paragraph (e), *Criminal liability*, is revised to read as follows:

#### § 9-7.5004-11 *Security.*

(e) *Criminal liability.* It is understood that disclosure of information relating to the work or services ordered hereunder to any person not entitled to receive it, or failure to safeguard any Restricted Data or any Top Secret, Secret, or Confidential matter that may come to the contractor or any person under the contractor's control in connection with work under this contract, may subject the contractor, its agents, employees, and subcontractors to criminal liability under the laws of the United States (see the Atomic Energy Act of 1954, 68 Stat. 919) (see also Executive Order 10104 of February 1, 1950, 15 F.R. 597).

3. Section 9-7.5004-13, *Contract Work Hours Standards Act—Overtime Compensation*, is revised to read as follows:

#### § 9-7.5004-13 *Contract Work Hours Standards Act—Overtime Compensation.*

See FPR 1-12.303.

4. In § 9-7.5004-16, *Buy American Act*, paragraph (b) is revised to read as follows:

#### § 9-7.5004-16 *Buy American Act.*

NOTE A: \*

(2) \*

(b) Insert a parenthetical, "(by the contractor, subcontractors, materialmen, and suppliers)", after the word "contract" in the second line of (b).

5. Section 9-7.5005-11, *Federal, State, and local taxes*, is revised to read as follows:

#### § 9-7.5005-11 *Federal, State, and local taxes.*

See FPR 1-11.401 (fixed-price). See AECPR 9-11.452 (cost-type).

6. Section 9-7.5005-15, *Small Business Subcontracting Program*, is revised to read as follows:

#### § 9-7.5005-15 *Small Business Subcontracting Program.*

See FPR 1-7.101-26.

7. Sections 9-7.5005-18, *Price reduction for defective cost or pricing data*; 9-7.5005-19, *Audit and records—fixed-price supply and fixed-price construction contracts*; and 9-7.5005-20, *Subcontractor cost and pricing data*; are revised to read as follows:

#### § 9-7.5005-18 *Price reduction for defective cost or pricing data.*

See FPR 1-3.814-1.

#### § 9-7.5005-19 *Audit and records—fixed-price supply and fixed-price construction contracts.*



See AECPR 9-3.814-2.

**§ 9-7.5005-20 Subcontractor cost and pricing data.**

See FPR 1-3.814-3.

8. In § 9-7.5006-9, *Allowable costs and fixed fee (CPFF operating and construction contracts)*, paragraph (a), *Compensation for contractor's services*; subparagraphs (1), (7), and subdivision (vii) of subparagraph (8), under paragraph (d), *Examples of items of allowable costs*; and subparagraph (12) under paragraph (e), *Examples of items of unallowable costs*; are revised to read as follows:

**§ 9-7.5006-9 Allowable costs and fixed fee (CPFF operating and construction contracts).**

(a) *Compensation for contractor's services.* Payment for the allowable cost as hereinafter defined, and of the fixed fee, if any, as hereinafter provided, shall constitute full and complete compensation for the performance of the work under this contract.

(d) *Examples of items of allowable cost.*

(1) Bonds and insurance including self-insurance, as provided in the clause entitled "Required bonds and insurance—exclusive of Government property."

(7) Patents, purchased design, and royalty payments to the extent expressly provided for under other provisions in this contract or as approved by the Contracting Officer; and preparation of invention disclosures, reports and related documents, and searching the art to the extent necessary to make such invention disclosures in accordance with the Patent Clause of this contract.

(8) *Personnel costs and related expenses.*

(vii) Net cost of operating plant-site cafeterias, dining rooms, and canteens attributable to the performance of the contract. Appendix A may be modified from time to time, in writing, without execution of an amendment to this contract, for the purposes of effecting any changes in or additions to Appendix A as may be agreed upon by the parties.

(e) *Examples of items of unallowable costs.*

(12) *Fines and penalties* including assessed interest, resulting from violations of, or failure of the contractor to comply with Federal, State, or local laws or regulations, except when incurred in accordance with the written approval of the Contracting Officer or as a result of compliance with the provisions of this contract.

9. In § 9-7.5006-23, *Payments and advances (cost type contracts where funds are advanced by AEC)*, paragraph (e), *Review and approval of costs incurred*, is revised to read as follows:

**§ 9-7.5006-23 Payments and advances (cost type contracts where funds are advanced by AEC).**

(e) *Review and approval of costs incurred.* The contractor shall prepare and submit annually as of June 30 a voucher, for the total of net expenditures accrued (i.e., net costs incurred) for the period covered by the voucher, and the Commission, after audit and appropriate adjustment, will approve

such voucher. This approval by the Commission will constitute an acknowledgment by the Commission that the net costs incurred are allowable under the contract and that they have been recorded in the accounts maintained by the contractor in accordance with the Commission accounting policies, but will not relieve the contractor of responsibility for the Commission's assets in its care, for appropriate subsequent adjustments, or for errors later becoming known to the Commission.

10. In § 9-7.5006-29, *Subcontracts and purchase orders*, paragraph (a) is revised to read as follows:

**§ 9-7.5006-29 Subcontracts and purchase orders.**

(a) *When subcontracts are authorized—Requirements applicable to subcontracts and purchase orders.* The contractor shall, when ordered by the Contracting Officer, and may, but only when authorized by the Contracting Officer, enter into subcontracts in writing for the performance of any part of the work described in the clause entitled "Statement of Work" under this contract. Purchase orders shall not be entered into by the contractor for items whose purchase is expressly prohibited by the written directions of the Contracting Officer. All subcontracts for the performance of the work described in the clause entitled "Statement of Work" shall be submitted to the Contracting Officer for approval. The Government reserves the right at any time to require that the contractor submit any or all other contractual arrangements, including but not limited to purchase orders or classes of purchase orders, for approval and provide information concerning methods, practices and procedures used or proposed to be used in subcontracting and purchasing. The contractor shall use methods, practices, or procedures in subcontracting and purchasing which are acceptable to the Commission. Subcontracts and purchase orders (Note A) shall be made in the name of the contractor, shall not bind nor purport to bind the Government, shall not relieve the contractor of any obligation under this contract (including, among other things, the obligation properly to supervise and coordinate the work of subcontractors) and shall be in such form and contain such provisions as are required by this contract or as the Contracting Officer may prescribe.

11. Section 9-7.5006-52, *Priorities, allocations, and allotments*, is revised to read as follows:

**§ 9-7.5006-52 Priorities, allocations, and allotments.**

The contractor shall follow the provisions of DMS Regulation 1 and all other applicable regulations and orders of the Business and Defense Services Administration in obtaining controlled materials and other products and materials needed to fill this order.

(Sec. 161, Atomic Energy Act of 1954, as amended, 68 Stat. 948, 42 U.S.C. 2201; sec. 205, Federal Property and Administrative Services Act of 1949, as amended, 63 Stat. 390, 40 U.S.C. 486)

*Effective date.* These amendments are effective upon publication in the FEDERAL REGISTER.

Dated at Germantown, Md., this 23d day of June 1966.

For the U.S. Atomic Energy Commission.

JOSEPH L. SMITH,  
Director,  
Division of Contracts.

[F.R. Doc. 66-7205; Filed, June 30, 1966; 8:45 a.m.]

## Title 46—SHIPPING

### Chapter III—Great Lakes Pilotage Administration, Department of Commerce

#### PART 401—GREAT LAKES PILOTAGE REGULATIONS

##### Miscellaneous Amendments

On April 6, 1966, a notice of proposed rule making was published in the FEDERAL REGISTER (31 F.R. 5450) setting forth the text of proposed amendments to the Great Lakes Pilotage Regulations.

Interested persons submitted data or views, orally and in writing at a public hearing in Buffalo, N.Y., on April 20, 1966. Interested persons also submitted written data and views within the 10 days allowed after the close of the hearings.

After consideration of all relevant matter submitted the following amendments to the Great Lakes Pilotage Regulations are hereby adopted.

These amendments to the regulations are issued under the authority contained in sections 4 and 5 of the Great Lakes Pilotage Act of 1960 (74 Stat. 259-262; 46 U.S.C. 216-216i).

##### Subpart A—General

In § 401.110 *Definitions*, delete paragraph (a)(4), definition for "foreign vessels," and substitute the following new paragraph (a)(4):

##### § 401.110 Definitions.

(a) "Movage" means the underway movement of a vessel in navigation from or to a dock, pier, wharf, dolphins, buoys, or anchorage other than a temporary anchorage for navigational or traffic purposes in such manner as to constitute a distinct separate movement not a substantive portion of a translake movement on arrival or departure, within the geographic confines of a harbor or port complex within such harbor.

##### Subpart B—Registration of Pilots

1. Section 401.200 is revised to read as follows:

##### § 401.200 Application for registration.

An application for registration as a U.S. Registered Pilot shall be made on Form SEC-315 which shall be submitted together with a completed fingerprint chart and two full-face photographs, 1½ inches by 2 inches, signed on the face. Both forms may be obtained from the Great Lakes Pilotage Administration, U.S. Department of Commerce, Washington, D.C. 20230. A registration



fee of five dollars (\$5) by check or money order, drawn to the order of the U.S. Department of Commerce, shall accompany an application for registration; the registration fee will be refunded if applicant is not registered.

**§ 401.210 [Amended]**

2. In § 401.210, paragraph (b) is deleted and paragraph (c) is renumbered (b).

3. In § 401.211, paragraph (a) (1) and (3) (v) are revised, and (a) (3) (vi), (b), (c), and (d) are added, reading as follows:

**§ 401.211 Requirements for training of applicant pilots.**

(a) \* \* \*

(1) He meets the requirements and qualifications set forth in subparagraphs (1) through (4), (6), (7), and (9) of § 401.210(a).

(3) \* \* \* (v) as a member of the Armed Forces of the United States on vessels of at least 1,000 gross tons, or equivalent, in capacities as determined by the Administrator to be equivalent to those required under subdivisions (i), (ii), (iii), or (iv) of this subparagraph; or (vi) on vessels under circumstances or conditions other than provided in this subparagraph which may be accepted as qualifying experience for selection as an Applicant Pilot subject to evaluation by the Administrator. Experience of at least 1 year on vessels of at least 2,000 gross tons in capacities determined by the Administrator to be equivalent to those required shall be the minimum criteria of satisfactory service for this exception.

(b) An applicant who is unable to meet the experience requirements of paragraph (a) (3) of this section may substitute training experience under the auspices and supervision of a U.S. pilotage pool. Time shall be counted as master's time under paragraph (a) (3) (i) of this section for each day or part thereof actually on board a vessel in company with a U.S. or Canadian Registered Pilot. Such applicant will not be eligible to serve as a Temporary Registered Pilot under the provisions of § 401.220(e).

(c) Persons desiring to be considered as an Applicant Pilot shall file with the Administrator, Great Lakes Pilotage Administration, U.S. Department of Commerce, Washington, D.C. 20230, Application Form SEC-315, in duplicate, together with the two full-face photographs, 1½" x 2", signed on the face, and a completed fingerprint chart. The \$5 registration fee is not to be submitted until such time as the applicant makes application pursuant to § 401.200 after completion of the requirements of § 401.220(b).

(d) Individuals selected as Applicant Pilots by the Administrator shall be issued a Great Lakes Pilotage Administration Applicant Pilot Identification Card, which shall be valid until such time as (1) the applicant is registered as a pilot

under § 401.210; (2) the applicant withdraws from the training program; or (3) upon withdrawal by the Administrator.

4. Section 401.220 (b), (c), (d), and (e) is revised to read as follows:

**§ 401.220 Registration of pilots.**

(b) Registration of pilots required for waters designated by the President pursuant to section 3 of the Great Lakes Pilotage Act of 1960 where pilotage pools have been authorized pursuant to Subpart C shall be made from among those Applicant Pilots who have (1) completed the minimum number of trips prescribed by the Administrator over the waters for which application is made on oceangoing vessels, in company with a Registered Pilot, within 1 year of date of application, (2) completed a course of instruction for Applicant Pilots prescribed by the association authorized to establish the pilotage pool, (3) satisfactorily met the requirements and qualifications for registration prescribed by § 401.210, (4) satisfactorily completed a written examination, prescribed by the Administrator, evidencing his knowledge and understanding of the Great Lakes Pilotage Act of 1960; the Great Lakes Pilotage Regulations, Rules and Orders; the Memorandum of Arrangements, Great Lakes Pilotage, between the United States and Canada; and other related matters including the working rules and operating procedures of his district, given at such time and place as the Administrator may designate within the pilotage district of the Applicant Pilot.

(c) The Pilot Association authorized to establish a pool in which an Applicant Pilot has qualified for registration under paragraph (b) of this section shall submit to the Administrator in writing its recommendations together with its reasons for the registration of the Applicant.

(d) Subject to the provisions of paragraphs (a), (b), and (c) of this section, a pilot found to be qualified under this subpart shall be issued a Certificate of Registration, valid for a term of two (2) years or until the expiration of his unlimited master's license or until the pilot reaches the age 65, whichever occurs first.

(e) Notwithstanding § 401.210(a) (5) and the provisions set forth in paragraphs (a), (b), and (c) of this section the Administrator may, when necessary to assure adequate and efficient pilotage service, (1) issue a Temporary Certificate of Registration for a period of less than one (1) year to an Applicant Pilot for service as a Registered Pilot on waters which are within the dispatching responsibility of the authorized pool of which he is a member, or (2) issue a Temporary Certificate of Registration for a period of less than one (1) year to a retired Registered Pilot for service as a Registered Pilot on the undesignated waters within the dispatching authority of the authorized pool under which he previously served, provided that such person meets all of the provisions of § 401.210(a) except subparagraphs (5) and (8) thereof.

5. Section 401.230(d) is revised to read as follows:

**§ 401.230 Certificates of Registration.**

(d) An application for a replacement of a lost, damaged, or defaced Certificate of Registration shall be made in writing to the Administrator together with two full-face photographs, 1½ inches by 2 inches, signed on the face. A replacement fee of five dollars (\$5) by check or money order, drawn to the order of the U.S. Department of Commerce, shall accompany any such application. A Certificate issued as a replacement for a lost, damaged, or defaced Certificate shall be marked so as to indicate that it is a replacement. Upon receipt of a Certificate issued as a replacement, the damaged or defaced Certificate shall be surrendered to the Administrator.

6. Section 401.240(a) is revised to read as follows:

**§ 401.240 Renewal of Certificates of Registration.**

(a) An application for renewal of a Certificate of Registration shall be made on Form SEC-315, which shall be submitted to the Administrator together with a completed fingerprint chart, and two full-face photographs, 1½ inches by 2 inches, signed on the face, at least fifteen (15) days prior to the expiration date of the existing Certificate. Both forms may be obtained from the Great Lakes Pilotage Administration, U.S. Department of Commerce, Washington, D.C. 20230. A renewal fee of five dollars (\$5) by check or money order, drawn to the order of the U.S. Department of Commerce, shall accompany an application for renewal of registration, which will be refunded if registration is not renewed. Failure of a Registered Pilot to comply with these requirements or file a complete and sufficient application may constitute cause for denying renewal of the Certificate of Registration.

7. Section 401.250(f) is added, reading as follows:

**§ 401.250 Suspension and revocation of Certificates of Registration.**

(f) All U.S. Registered Pilots shall, whenever their license is revoked or suspended by the Coast Guard, deliver their Certificate of Registration simultaneously with their license to the Coast Guard. In the event the license is revoked, the Certificate of Registration will be forwarded by the Coast Guard to the Great Lakes Pilotage Administration. If the license is suspended, the Certificate of Registration will be held with the suspended license and returned to the holder upon expiration of the suspension period.

8. Section 401.260 is added to read as follows:



**§ 401.260 Reports.**

(a) A marine accident which occurs while a U.S. Registered Pilot is in the service of a vessel in U.S. or Canadian waters of the Great Lakes shall be reported by the Registered Pilot to the Administrator as soon as possible, but not later than 15 days after the accident. The report shall name and describe the vessel or vessels involved, and shall describe the accident, including type of accident, location, time, prevailing weather, damage to the vessel or vessels or property, and injury to persons or lives lost. This report does not relieve the pilot of responsibility for submitting any report required by other government agencies of the United States or Canada.

(b) Every U.S. Registered Pilot shall file with the Administrator any change of his mailing address within 15 days after the change.

(c) Every authorized pilotage pool of U.S. Registered Pilots rendering pilotage service shall submit, by the 10th day of the month following, a monthly report of availability, on a form provided by the Administration, of all U.S. Registered Pilots and Applicant Pilots of that pool. The report shall include the availability of Canadian Registered Pilots who are assigned to that pool for administrative purposes. The report shall list the name of each pilot and show his availability status for each day of the month as: available, unavailable due to illness or injury, unavailable with advance notice for personal reasons, unavailable authorized by the pool for business reasons, unavailable without advance notice or unaccounted for, unavailable for disciplinary reasons. The report shall be maintained on a daily basis by an officer or employee of the pool, who shall be responsible for the completeness and accuracy of the report.

**Subpart C—Establishment of Pools by Voluntary Associations of U.S. Registered Pilots**

1. Section 401.320 (b) and (d) (1) is revised to read as follows:

**§ 401.320 Requirements and qualifications for authorization to establish pools.**

(b) The stock, equity, or other financial interests coupled with voting rights or exercise of any right of control in the management of the voluntary association is held only by member Registered Pilots registered pursuant to §§ 401.200 and 401.210, excluding Applicant Pilots and Retired Pilots temporarily registered under § 401.220 (e).

(d) The voluntary association agrees that:

(1) Pilotage services will be provided on a first-come, first-serve basis to vessels giving proper notice of arrival time or pilotage service requirements, to the pilotage station, except that pilots will not be required to board vessels which do not provide safe boarding facilities;

2. In § 401.340, present text is designated (a) and new paragraphs (b) and (c) are added, reading as follows:

**§ 401.340 Compliance with working rules of pools.**

(b) The voluntary associations of U.S. Registered Pilots authorized to establish a pilotage pool may require a U.S. Registered Pilot to execute a written authorization for the pool to bill for services, deduct authorized expenses, and to comply with the working rules and other rules of the pool relating to such facilities and services. Facilities and services of the pool may be denied to any U.S. Registered Pilot who fails or refuses to execute such authorizations.

(c) U.S. Registered Pilots who fail to execute such an authorization shall not be considered members of the U.S. pool, and shall not be entitled to reciprocal dispatching and related services by United States and Canadian pilotage pools as provided for by the Memorandum of Arrangements. A U.S. Registered Pilot who fails or refuses to avail himself of the established facilities and services shall be considered as not being continuously available for service pursuant to section 4(a) of the Great Lakes Pilotage Act of 1960 (46 U.S.C. 216-216i) and his agreement executed on SEC-315, Application for Registration as a U.S. Registered Pilot, and may be subject to suspension or revocation proceedings as prescribed by § 401.250.

**Subpart D—Rates, Charges, and Conditions for Pilotage Services**

1. Section 401.400 is revised to read as follows:

**§ 401.400 Rates and charges on designated waters.**

(a) Except as provided under § 401.420, the following rates and charges shall be payable for all services performed by United States or Canadian Registered Pilots in the following areas of the U.S. waters of the Great Lakes described in § 401.300, pursuant to the Memorandum of Arrangements, Great Lakes Pilotage:

- (1) *District No. 1.*
  - (i) Between Snell Lock and Cape Vincent or Kingston, whether or not undesignated waters are traversed, \$220
  - (ii) Between Snell Lock and Cardinal, Prescott or Ogdensburg, 110
  - (iii) Between Cardinal, Prescott, or Ogdensburg and Cape Vincent or Kingston, whether or not undesignated waters are traversed, 160
  - (iv) For pilotage commencing or terminating at any point above Snell Lock other than those named in items (i) to (iii), \$2.20 per mile but with a minimum charge therefore of 50
  - (v) For a moveage in any harbor, 50
- (2) *District No. 2.*
  - (i) Passage through the Welland Canal or any part thereof, \$5 for each mile plus \$15 for each lock transited but with a minimum charge therefore of 50 and a maximum charge therefore of 200

- (ii) Between Southeast Shoal or any point on Lake Erie west thereof and any point on the St. Clair River or the approaches thereto as far as the northerly limit of the District, 150
- (iii) Between Southeast Shoal and any point on Lake Erie west thereof or on the Detroit River, 95
- (iv) Between any point on Lake Erie west of Southeast Shoal and any point on the Detroit River, 95
- (v) Between points on Lake Erie west of Southeast Shoal, 50
- (vi) Between points on the Detroit River, 50
- (vii) Between any point on the Detroit River and any point on the St. Clair River or its approaches as far as the northerly limit of the District, 95
- (viii) Between points on the St. Clair River including the approaches thereto as far as the northerly limit of the District, 75

**(3) District No. 3.**

- (i) Between the southerly limit of the District and the northerly limit of the District or the Algoma Steel Corp. Wharf at Sault Ste. Marie, Ontario, \$200
- (ii) Between the southerly limit of the District and Sault Ste. Marie, Mich., or any point in Sault Ste. Marie, Ontario, other than the Algoma Steel Corp. Wharf, 165
- (iii) Between the northerly limit of the District and Sault Ste. Marie, Ontario, including the Algoma Steel Corp. Wharf, or Sault Ste. Marie, Mich., 75
- (iv) For a moveage in any Harbor, 50

(b) When the passage of a ship through a District is interrupted for the purpose of loading or discharging cargo or for any other reason and the services of the Registered Pilot are retained during such interruption, for the convenience of the ship, the ship shall be required to pay an additional charge of \$5 for each hour or part of an hour during which each interruption lasts, but with a maximum of \$75 for each 24-hour period of such interruption. However, no charge shall be payable for any interruption caused by ice, weather, or traffic except during the period from the 1st day of December to the 8th day of April next following.

2. Section 401.410 is revised to read as follows:

**§ 401.410 Rates and charges on undesignated waters.**

(a) Except as provided under § 401.420 and subject to paragraph (b) of this section, the charges to be paid by a ship that has a Registered Pilot on board in the undesignated waters shall be \$50 for each 24-hour period or part thereof that the pilot is on board, plus (1) \$25 for each time the pilot performs the docking or undocking of the ship on entering or leaving the harbor or performs a moveage of the ship within a harbor, and (2) the travel expenses reasonably incurred by a pilot in joining the ship and returning to his base.

(b) When a Registered Pilot is carried on a ship in a direct transit of the undesignated waters of Lake Erie between Southeast Shoal and Port Colborne, the charges referred to in paragraph (a) of



this section are not payable unless, (1) the ship is required by law to have a Registered Pilot on board in those waters, or (2) services are performed by the pilot in those waters at the request of the master.

3. Section 401.420 is revised to read as follows:

**§ 401.420 Cancellation or delay in rendition of services.**

(a) When in designated or undesignated waters the departure or the movement of a ship for which a Registered Pilot has been ordered is delayed for the convenience of the ship for more than 1 hour after the pilot reports for duty or after the time for which he is ordered, whichever is the later, or when a pilot is detained on board a ship for the convenience of the ship for more than 1 hour after the end of the assignment for which he was ordered, there shall be payable an additional charge of \$5 per hour after the first hour of such delay; but the aggregate amount of such further charges shall not exceed \$75 for any 24-hour period.

(b) When in designated or undesignated waters a Registered Pilot reports for duty as ordered and the order is cancelled, the charges to be paid by the ship shall be (1) a cancellation charge of \$25, (2) if the cancellation is more than 1 hour after the pilot was ordered for, a further charge of \$5 for every hour or part of an hour after the first hour, except that the aggregate cancellation fee payable in any 24-hour period shall not exceed \$75, and (3) if the ship is in the undesignated waters, the travel expenses reasonably incurred by the pilot in joining the ship and returning to his base.

**Subpart F—Procedure Governing Revocation or Suspension of Registration and Refusal To Renew Registration**

Section 401.615 is revised to read as follows:

**§ 401.615 Representation.**

The Great Lakes Pilotage Administration shall be represented by the Office of the General Counsel of the U.S. Department of Commerce. The U.S. Registered Pilot, designated "respondent" in a suspension or revocation hearing, or "applicant" in a refusal-to-renew-registration hearing, may be represented before the Examiner by any person who is a member in good standing of the bar of the highest court of any State, possession, territory, commonwealth, or the District of Columbia upon filing with the Great Lakes Pilotage Administration a written declaration that he is currently qualified and is authorized to represent the particular party in whose behalf he acts. Whenever a person acting in a representation capacity appears in person or

signs a paper in practice before the Examiner of the Administration or the Office of the General Counsel of the U.S. Department of Commerce, his personal appearance or signature shall constitute a representation that under the provisions of this subpart and applicable law he is authorized and qualified to represent the particular person in whose behalf he acts. When any U.S. Registered Pilot is represented by an attorney at law, any notice or other written communication required or permitted to be given to or by such a U.S. Registered Pilot shall be given to or by such attorney. If a U.S. Registered Pilot is represented by more than one attorney, service by or upon any one of such attorneys shall be sufficient.

*Effective date.* July 1, 1966.

A. T. MESCHTER,  
*Administrator,*  
*Great Lakes Pilotage Administration.*

[F.R. Doc. 66-7293; Filed, June 30, 1966; 8:48 a.m.]

**PART 402—GREAT LAKES PILOTAGE RULES AND ORDERS**

**Miscellaneous Amendments**

On April 6, 1966, a notice of proposed rule making was published in the FEDERAL REGISTER (31 F.R. 5450) setting forth the text of proposed amendments to the Great Lakes Pilotage Regulations. These proposed amendments, excepting the obsolete § 402.211 (a) and (c), included certain rules and orders found to be of a stable continuing nature and considered more properly regulatory in character. These regulations were adopted effective July 1, 1966. Accordingly, the rules and orders listed below are revoked.

**Subpart B—Registration of Pilots**

Subpart B is amended as follows:

**§ 402.200 Application for registration.**  
[Revoked]

**§ 402.211 Applicant pilots.** [Revoked]

**§ 402.220 Registration of pilots.**

\* \* \* \* \*

(c) [Revoked]

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**§ 402.240 Renewal of Certificate of Registration.** [Revoked]

**§ 402.250 Suspension and revocation of Certificate of Registration.** [Revoked]

**§ 402.260 Reports.** [Revoked]

**Subpart C—Establishment of Pools by Voluntary Association of U.S. Registered Pilots**

**§ 402.340 Compliance with working rules of pools.** [Revoked]

*Effective date.* July 1, 1966.

A. T. MESCHTER,  
*Administrator,*  
*Great Lakes Pilotage Administration.*

[F.R. Doc. 66-7294; Filed, June 30, 1966; 8:48 a.m.]

**Title 49—TRANSPORTATION**

**Chapter I—Interstate Commerce Commission**

**SUBCHAPTER A—GENERAL RULES AND REGULATIONS**

[Docket No. 3666; Order No. 71]

**PARTS 71-79—EXPLOSIVES AND OTHER DANGEROUS ARTICLES**

**Miscellaneous Amendments**

At a session of the Interstate Commerce Commission, Explosives and Other Dangerous Articles Board, held at Washington, D.C., on the 8th day of June 1966.

The matter of certain regulations governing the transportation of explosives and other dangerous articles, formulated and published by the Commission, being under consideration, and

It appearing, that Notice No. 71, dated February 11, 1966, setting forth certain proposed amendments to the said regulations, and the reasons therefor, and stating that consideration was to be given thereto, was published in the FEDERAL REGISTER on March 4, 1966 (31 F.R. 3408), pursuant to the provisions of section 4 of the Administrative Procedure Act; that pursuant to said notice interested parties were given an opportunity to be heard with respect to said proposed amendments; that written views or arguments were submitted to the Commission with respect to the proposed amendments;

And it further appearing, that said views and arguments with respect to the proposed amendments are such as to warrant revision at this time of certain of the proposed amendments, and that in all other respects the proposed amendments set forth in the above referred-to Notice No. 71 are deemed justified and necessary;

It is ordered, That the aforesaid regulations governing the transportation of explosives and other dangerous articles be, and they are hereby, amended in the manner and to the extent set forth as follows:

**PART 71—GENERAL INFORMATION AND REGULATIONS**

In Part 71 Index, amend § 71.4 (29 F.R. 18652, Dec. 29, 1964) to read as follows:  
71.4 Changes in specifications for tank cars.